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prove to the court's satisfaction that the truthfulness of the jailhouse informer's testimony...or statement is to be given at trial is more probable than not. And that's the part that I am asking to be removed. The reason for that is that I have the feeling that this invades the province of the jury. And I think that this can be taken care of in the following manner: We will amend Section 3 of the bill to take the early line of Section 2 and say: Before the testimony of a jailhouse informant is admissible in court, and then drop down to Section 3, at least ten days before trial the state shall disclose to the person against whom the jailhouse informant will testify or such person's counsel, and then details the rest of that particular section. And then the other portion of the amendment changes Section 1 in that it rennumbers it to share with the fact that Section 2 is now omitted. And I...I believe that this gives me a much greater comfort level in respect to our judicial process in that things will follow in the ordinary course of...of the trial, and this information will be made available to the defense. And so with that I would submit to you this amendment. Thank you.

SPEAKER KRISTENSEN: Debate on the amendment. Senator Bruning.

SENATOR BRUNING: Mr. Speaker, members of the Legislature, I rise in support of Senator Pederson's amendment. Many of you, I'm sure, have been contacted by the Omaha Police Department, among others, about this particular section of the bill. And, certainly, what Senator Pederson is trying to do here clears up the...the most conspicuous problem with the bill. The language in Section 2 that he's removing, before the testimony of a jailhouse informer is admissible in court the following requirements must be met, Senator Pederson has rightly added that to Section 3 so that...that covers any potential problem with the necessary language being included. So I think this is important to do. You'll find that law enforcement is fairly unanimous in their support of this amendment. In fact, this is a bit of a compromise because many of the folks that I've spoken with have asked us just to kill the bill. I think Senator Pederson has extracted the main problem with his amendment here. And so I'll be supporting the bill if the amendment is adopted. If it is not, we'll need to decide how to act at that point.